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Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the fifth periodic report of Romania*

I. Introduction

1. The Committee considered the fifth periodic report of Romania (CRC/C/ROM/5) at its 2297th and 2298th meetings (see CRC/C/SR.2297 and 2298), held on 23 and 24 May 2017, and adopted the present concluding observations at its 2321st meeting, held on 2 June 2017.

2. The Committee welcomes the submission of the fifth periodic report of the State party and the written replies to the list of issues (CRC/C/ROM/Q/5/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas since its last review, as well as the re-establishment of the National Authority for the Protection of the Rights of the Child and Adoption and the adoption of a number of new acts and institutional and policy measures related to children's rights, in particular the amendment to the Law on Child Rights to prohibit the institutionalization of children under 3 years, the revision of the Adoption Law and the adoption of a progressive Education Law in 2011. It also welcomes the adoption of the National Strategy on the Protection and Promotion of Children's Rights 2014-2020 and the National Strategy on Children's and Adolescents' Mental Health 2016-2020.

III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: allocation of resources (para. 10); discrimination against Roma children (para. 17); abuse, neglect and sexual exploitation and abuse (para. 29); children deprived of a family environment (para. 29); children with disabilities (para. 32); and health (para. 34).

* Adopted by the Committee at its seventy-fifth session (15 May-2 June 2017).

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A. General measures of implementation (arts. 4, 42 and 44 (6))

Committee's previous recommendations

5. **The Committee recommends that the State party take all necessary measures to address its recommendations of 2009 (CRC/C/ROM/CO/4) which have not been implemented or not sufficiently implemented, in particular those related to children deprived of a family environment (paras. 52 and 55) and violence against children (paras. 57 and 59).**

Legislation

6. **The Committee recommends that the State party take all necessary measures for proper implementation of its legislation and ensure that sufficient human, technical and financial resources are provided for the implementation of legislation.**

Comprehensive policy and strategy

7. **The Committee encourages the State party to provide sufficient human, technical and financial resources for the implementation of the National Strategy on the Protection and Promotion of Children's Rights 2014-2020 and the Operational Plan.**

Coordination

8. **Taking into account insufficient coordination between the ministries and organizations that are members of the Coordinating Council for the Protection and Promotion of Children's Rights and Adoption attached to the National Authority for the Protection of the Rights of the Child and Adoption, the Committee recommends that the State party, in order to strengthen the National Authority and the Coordinating Council, consider placing the National Authority under the responsibility of the Office of the Prime Minister and provide it with the human, technical and financial resources necessary for the effective coordination of all activities related to the implementation of the Convention at the national, regional and local levels.**

Allocation of resources

9. The Committee is concerned that the State party's budgeting process fails to provide specifically for transparent budgetary allocations for children in the relevant sectors and agencies, including for indicators and tracking systems at all levels, as well as targeted budgetary allocations for children in marginalized and vulnerable situations, such as Roma children, children with disabilities and children in rural areas. The Committee is also concerned that despite recent economic growth, the State party fails to provide adequate allocations for health, education and social protection.

10. **With reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party set up a budgeting process that includes a child rights perspective, specifies clear allocations to children in the relevant sectors and agencies, and includes specific indicators and a tracking system to monitor and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated for implementation of the Convention, including by:**

(a) **Providing adequate allocations for services in the areas of health, education and the social and child protection systems, with specific support for children in vulnerable situations;**

(b) **Decentralizing the distribution of resources to the county and local levels and earmarking resources specifically for the delivery of social services for children;**

(c) Strengthening audits to increase transparency and accountability with regard to public expenditure across all sectors and adopting urgent measures to eradicate corruption.

Data collection

11. Taking into account its general comment No. 5 (2003) on general measures of implementation, the Committee reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 18) and further recommends that the State party expeditiously improve its data-collection system, ensuring that it covers all areas of the Convention and that the data are disaggregated by age, sex, disability, geographic location, ethnic origin, socioeconomic background and migratory status, in order to facilitate analysis of the situation of all children, particularly those in situations of vulnerability including Roma children, as well as impact assessments of the measures taken, and ensure access to the existing data.

Independent monitoring

12. The Committee welcomes the information provided by the State party during the dialogue that the creation of a child rights ombudsman is among the Government's priorities for the period 2017-2020, and recommends that the State party adopt without delay a draft law on an independent child rights ombudsperson and ensure the visibility and capacity of that function.

Dissemination, awareness-raising and training

13. The Committee reiterates the recommendation in its previous concluding observations (see CRC/C/ROM/CO/4, para. 20) and encourages the State party to strengthen its efforts to provide adequate and systematic training and sensitization on children's rights to professionals working with and for children, as well as to ensure that all provisions of the Conventions are widely known and understood by children and their parents.

Cooperation with civil society

14. The Committee calls on the State party to effectively involve civil society, including non-governmental organizations and children's organizations, in the development, implementation, monitoring and evaluation of legislation, policies, plans and programmes related to children's rights and to develop a transparent system of contracting civil society organizations for the delivery of social services to complement the Government's efforts.

Definition of the child

15. The Committee recommends that the State party amend its legislation to remove exceptions that allow marriage under the age of 18 years.

B. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

16. While noting the information provided by the State party on two orders aimed at preventing school segregation and law No. 331/2015 amending the asylum legislation, the Committee remains deeply concerned that:

(a) Roma children; children with disabilities; asylum-seeking and refugee children; lesbian, gay, bisexual, transgender and intersex children; and children living in remote rural areas continue to face discrimination with regard to access to education, health care, employment and a decent standard of living;

(b) Girls continue to be subject to multiple gender-based discrimination, particularly when they are in marginalized and disadvantaged situations, and are more exposed to violence and exclusion.

17. The Committee urges the State party to ensure full implementation of relevant existing laws prohibiting discrimination, including by enforcing appropriate monitoring and complaints mechanisms, strengthening public education campaigns to address stigmatization of and discrimination against Roma children; children with disabilities; girls; asylum-seeking and refugee children; and lesbian, gay, bisexual, transgender and intersex children; and, in particular, to ensure their equal access to education, health care, employment and a decent standard of living. The Committee also recommends that, when addressing stigmatization of and discrimination against Roma children, the State party ensure that it is done in a sensitive way, to avoid aggravating their segregation.

Best interests of the child

18. With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 29) and recommends that the State party ensure that new legislation is assessed against children's best interests and that it review the training of professionals working with and for children to ensure that the principle of the best interests of the child is clearly understood and properly implemented.

Right to life, survival and development

19. The Committee reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 31) and recommends that the State party:

(a) Address the underlying causes of infant, child and maternal mortality, including social and economic deprivation and inequality;

(b) Scale up the delivery of integrated social services, bringing together social protection, health and education at the community level;

(c) Reduce inequalities between urban and rural areas and the negative effects of discrimination on access to basic services.

Respect for the views of the child

20. With reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

(a) Ensure that children's views are given due consideration, in accordance with article 12 of the Convention, in the family, at schools, in the courts and in all relevant administrative and other processes through, inter alia, the adoption of appropriate legislation, training of professionals, establishment of specific activities at school and general awareness-raising;

(b) Provide additional support to the National Students Council to increase its capacity to facilitate children's participation at the local, county and national levels;

(c) Ensure that legislation allows and supports adolescents in organising themselves in associations and formal groups, including outside the school.

C. Civil rights and freedoms (arts. 7, 8 and 13-17)

Birth registration

21. While welcoming the recent measures to simplify birth registration (government emergency order No. 33/2016 and government decision No. 801/2016) and taking note of target 16.9 of the Sustainable Development Goals on providing a legal identity for all, including birth registration, the Committee recommends that the

State party strengthen community-based services to ensure that all children, including those in rural communities, have access to birth registration without delay.

Protection of privacy

22. **While welcoming the adoption of National Audiovisual Council decision No. 220/2011, the Committee recommends that the State party strengthen its efforts, in cooperation with the media, to protect and respect the privacy of children of all ages.**

Access to appropriate information

23. **With reference to its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, the Committee reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 42) and recommends that the State party strengthen its efforts to protect children from harmful information, harmful products and online risks and guarantee the right to have access to appropriate information for all children, including those who live in remote and rural areas and in conformity with their age and maturity.**

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

24. **While noting that corporal punishment is prohibited in all settings and, with reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee recommends that the State party:**

(a) **Ensure that the prohibition of corporal punishment is properly enforced in all settings and adequately monitored;**

(b) **Promote positive, non-violent and participatory forms of child-rearing and discipline through awareness-raising programmes and campaigns;**

(c) **Ensure that offenders are brought before the competent administrative and judicial authorities.**

Abuse, neglect and sexual exploitation and abuse

25. While welcoming the development of the observation and the risk assessment forms aimed at identifying children in need of help and giving them access to services, the Committee is concerned at the:

(a) General tolerance of violence in different forms, including verbal and psychological abuse;

(b) Limited capacities of the public system to identify, report and address cases of violence, abuse and neglect of children, as well as sexual exploitation and abuse, in a cross-sectoral manner;

(c) Severe forms of violence allegedly taking place in the childcare system, especially towards children with disabilities.

26. **With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and taking note of target 16.2 of the Sustainable Development Goals on ending abuse, exploitation, trafficking and all forms of violence against and torture of children, the Committee recommends that the State party:**

(a) **Prioritize primary and secondary prevention measures aimed at preventing the harm from happening altogether;**

(b) **Develop awareness-raising programmes on different types of violence and abuse affecting children, including campaigns addressing social norms and beliefs**

around violence against children, for the general public and professionals working with children and promote behavioural change among them;

(c) **Provide sufficient human and financial resources to the mechanisms set up to identify, report, prevent and monitor cases of violence and abuse in any setting, including in police custody, detention, at school and at home;**

(d) **Strengthen programmes for the early identification, recovery and social reintegration of child victims;**

(e) **Provide systematic training to professionals working with children;**

(f) **Investigate all cases of violence and abuse of children in the childcare system and hold the perpetrators accountable.**

Harmful practices

27. **With regard to the widespread practice of de facto child marriage in rural areas, the Committee recommends that the State party conduct awareness-raising campaigns concerning the many negative consequences of child marriage.**

E. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))

Children deprived of a family environment

28. While welcoming the intention of the National Authority for the Protection of the Rights of the Child and Adoption to make the reform of the childcare system a priority, the Committee is concerned about:

(a) The significant number of children still being placed in institutional care and about children from the most disadvantaged groups, including children from poor families, Roma children and children with disabilities, who remain at high risk of family separation and institutionalization;

(b) The absence of adequate mechanisms for identifying children at risk and of early intervention services and referral systems at the community level, as well as about the belief that some children, particularly children with disabilities, are "better off" if separated from their families, resulting in children being unnecessarily placed in the child protection system;

(c) Insufficient psychosocial support for children in institutions and residential care, especially for children with disabilities, insufficient training for social workers and staff in placement centres as well as gaps in the child protection system;

(d) Inadequate monitoring of children in institutions and residential care and investigation of reports of physical and sexual abuse, including trafficking in children for the purposes of sexual exploitation;

(e) Insufficient support for children leaving care, including those with disabilities.

29. **Drawing the State party's attention to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex), the Committee emphasizes that financial and material poverty — or conditions directly and uniquely attributable to such poverty — should never be the sole justification for removing a child from parental care, for placing a child in alternative care or for preventing a child's social reintegration. In this regard, the Committee recommends that the State party:**

(a) **Establish a system of individual assessments and look for solutions that are in the best interests of the individual child;**

(b) **Implement the Deinstitutionalization Plan for Children in Residential Care and Ensuring their Transition to Community-Based Care (2016) and put a strong monitoring system in place, and expedite placement in family-based care;**

(c) Ensure adequate safeguards and clear criteria, particularly for Roma children and children with disabilities, based on the needs and best interests of the child, for determining whether a child should be placed in alternative care;

(d) Ensure periodic review of the placement of children in residential care and institutions and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children;

(e) Ensure that adequate human, technical and financial resources are allocated to residential care centres and relevant child protection services to facilitate the rehabilitation and social reintegration of children resident therein to the greatest extent possible;

(f) Increase coordination of all interventions at the local level to develop prevention, early identification and intervention;

(g) Support and monitor regular and appropriate contact between the child and his or her family, provided that this is consistent with the child's best interests;

(h) Strengthen support to children leaving care, including those with disabilities, to enable them to reintegrate into society by providing access to adequate housing, legal, health and social services as well as educational and vocational training opportunities.

Adoption

30. **The Committee, while noting the amendment of the Law on Adoption, reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 54) and urges the State party to:**

(a) Ensure that adequate human and technical resources are allocated to implementation of the revised law;

(b) Further develop programmes to reduce misconceptions relating to the adoption of children with severe disabilities and Roma children;

(c) Ensure that children who could not be placed with families domestically have access to inter-country adoption.

F. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)-(3) and 33)

Children with disabilities

31. The Committee notes the re-establishment of the National Authority for People with Disabilities and the adoption of the Strategy on the Rights of Persons with Disabilities and Roma Inclusion, but remains concerned that the State party does not have a human rights-based model for disability and that:

(a) There is no national policy on disability that specifically addresses children;

(b) There is neither an effective and easily accessible data-collection system nor a system for diagnosing disability;

(c) Children with disabilities are still placed in specialized institutions and classes and that teachers and professionals need more specialized training to be able to provide appropriate and individual support in inclusive classes;

(d) Children with disabilities have limited access to health care, including sexual and reproductive health care and early detection and intervention programmes.

32. **With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 61) and urges the State party to:**

(a) Develop a national policy on disability with a human rights perspective that specifically addresses children with disabilities and aims to ensure their full participation in the society, and include the issues related to children with disabilities in the State party's priorities for the period 2017-2020;

(b) Provide sufficient human and financial resources for the implementation of the Strategy on the Rights of Persons with Disabilities and Roma Inclusion and for the National Authority for People with Disabilities to carry out its mandate effectively;

(c) Organize data collection on children with disabilities, make the data easily accessible and develop an efficient system for diagnosing disability, which is necessary for putting in place appropriate policies and programmes for children with disabilities;

(d) Set up comprehensive measures to develop inclusive education and ensure that children with disabilities are not placed in specialized institutions and classes;

(e) Train and assign specialized teachers and professionals in inclusive classes to provide individual support and all due attention to children with learning difficulties;

(f) Take immediate measures to ensure that children with disabilities have access to health care, including sexual and reproductive health care and early detection and intervention programmes;

(g) Undertake awareness-raising campaigns aimed at government officials, the public at large and families to combat the stigmatization of and prejudice against children with disabilities and promote a positive image of such children.

Health and health services

33. While noting the adoption of the National Health Strategy 2014-2020 and the action plan for its implementation, and the launching of the project entitled "Strengthening the national network of Roma health mediators to improve the health of the Roma population 2014-2017", the Committee is concerned at:

(a) The high infant and under-5 mortality rates, the increasing level of severe nutritional deficit in children under 5 and the high number of children and adolescents dying of cancer;

(b) The number of pregnant women who do not have access to medical prenatal services, especially mothers from vulnerable communities;

(c) The drop in vaccination rates and the occurrence of a large number of cases of diseases that can be prevented through vaccination;

(d) The number of Roma mothers and young children who continue to lack access to maternal and adequate health care, with poverty and social isolation further exacerbating their plight.

34. **With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and taking note of target 3.2 of the Sustainable Development Goals on ending preventable deaths of newborns and children under 5 years of age, the Committee recommends that the State party:**

(a) Allocate adequate human and financial resources to ensure full implementation of the National Health Strategy 2014-2020 and strengthen and increase support to newly appointed health mediators in Roma communities;

(b) Allocate adequate human and financial resources to ensure full implementation of the HIV/AIDS strategy and the action plan;

(c) Implement the standards of the International Code of Marketing of Breast-milk Substitutes, inform the public about best practices in breastfeeding, and advise mothers on breastfeeding and the "ten steps to effective breastfeeding"

developed by the United Nations Children's Fund and the World Health Organization in hospitals and clinics across the country;

(d) Improve access to cancer treatment for children and adolescents, raise awareness among doctors, children and parents on the early sign of cancer, improve access to treatment and provide sufficient financial resources to make it affordable;

(e) Ensure the availability of and equitable access to quality prenatal services and primary and specialized health care for all children in the country, particularly those from socially and economically disadvantaged groups, including Roma children and children with disabilities;

(f) Adopt measures to increase the vaccination rate, including by conducting pro-vaccination campaigns and extending the use of health assistants to include all towns with low child vaccination rates;

(g) Implement and apply the technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age (A/HRC/27/31) developed by the Office of the United Nations High Commissioner for Human Rights.

Mental health

35. While noting the adoption of the National Strategy on the Mental Health of Children and Teenagers (2016), the Committee recommends that the State party:

(a) Significantly develop community-based mental health services and strengthen preventive work in schools, the home and care centres;

(b) Increase the number of child psychiatrists and psychologists;

(c) Establish control over excessive medication of children with behavioural problems.

Adolescent health

36. With reference to its general comment No. 4 (2003) on adolescent health and development in the context of the Convention, the Committee reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 69) and urges the State party to:

(a) Take effective measures to prevent suicide among adolescents, collect disaggregated data on suicide occurrence and ensure that special psychosocial support programmes are introduced for adolescents;

(b) Lower the ages of access to health services without parental consent, including reproductive health services, in accordance with the child's evolving capacities;

(c) Take effective measures to prevent adolescents' tobacco and alcohol consumption, as well as drug abuse, by providing children and adolescents with accurate and objective information and life skills education on preventing substance abuse, and develop accessible and youth-friendly drug dependence treatment and harm-reduction services;

(d) Expand the scope of the National Programme for Sexual and Reproductive Health (2013-2017) to provide comprehensive, age-appropriate education on sexual and reproductive health, including information on family planning and contraceptives, the dangers of early pregnancy and the prevention and treatment of sexually transmitted diseases, including HIV/AIDS;

(e) Ensure unimpeded access to sexual and reproductive health services, including confidential counselling and modern contraception, for adolescent girls and boys.

Standard of living

37. **While noting the adoption of the National Strategy on Social Inclusion and Poverty Reduction 2015-2020 and the Strategic Action Plan for 2015-2020, the Committee draws attention to target 1.3 of the Sustainable Development Goals on implementing nationally appropriate social protection systems and measures for all and recommends that the State party:**

(a) **Develop measures, under the National Strategy on Social Inclusion and Poverty Reduction 2015-2020, that specifically target children and consider holding targeted consultations with families and children, including those in vulnerable situations, with a view to strengthening the strategies and measures for reducing child poverty;**

(b) **Ensure that social services are provided at the community level, including through community-based programmes, and in an equitable manner, focusing on children living below the poverty line, in particular Roma families, rural families and families with children with disabilities, and are adequate to meet the real costs of a decent standard of living, including costs related to health, nutrition, diet, education, adequate housing and water and sanitation, and establish a transparent mechanism for private social service providers to have access to public funding.**

G. Education, leisure and cultural activities (arts. 28, 29, 30 and 31)

Education, including vocational training and guidance

38. **With reference to its general comment No. 1 (2001) on the aims of education and taking note of target 4.1 of the Sustainable Development Goals on all girls and boys completing free, equitable and quality primary and secondary education, the Committee recommends that the State party:**

(a) **Ensure implementation of the Law on Education (2011) by providing adequate funding and setting up mechanisms for monitoring and evaluating the impact of the National Strategies on Education and other educational measures;**

(b) **Strengthen its efforts to improve access to quality education in rural areas and for children from poor families, including access to preschool, secondary and higher education;**

(c) **Facilitate the participation and inclusion of Roma children in mainstream education at all levels, including preschool education, raise awareness of teachers and staff of psychological and pedagogical counselling centres about the history and culture of Roma people and provide them with sufficient guidance on how to effectively include Roma children in mainstream education;**

(d) **Develop programmes with monitoring and evaluation mechanisms to reduce dropout rates and develop and promote quality vocational training to enhance the skills of children and adolescents, especially those who drop out of school;**

(e) **Take the necessary measures to improve the quality of education and provide quality training for teachers, with particular emphasis on rural areas;**

(f) **Provide necessary funding and measures to improve school transportation, eliminate hidden cost of education, improve sanitary conditions and provide necessary services to support children's access to education at the local level in particular;**

(g) **Take necessary nationwide measures for awareness-raising, prevention and intervention in the cases of school violence and bullying, involving the training of professionals, parents and children.**

Early childhood development

39. **Taking note of target 4.2 of the Sustainable Development Goals on ensuring that all girls and boys have access to quality early childhood development, care and pre-primary education and, with reference to its general comment No. 7 (2005) on implementing child rights in early childhood, the Committee recommends that the State party develop and allocate sufficient financial resources to carry out comprehensive policies and programmes for early childhood, including provision for health, care and education during the early years, with particular attention to rural areas and Roma children.**

H. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)

Asylum-seeking and refugee children

40. **While welcoming the amendments to the national asylum legislation which introduce additional safeguards for unaccompanied children seeking asylum, the Committee recommends that the State party:**

(a) **Improve administrative practices to ensure adequate protection measures for asylum-seeking and refugee children, including qualified legal representatives (guardians) and proper age-assessment procedures that take into consideration the psychological characteristics and maturity of children;**

(b) **Clarify existing legislation and administrative policies to ensure that adequate alternative care arrangements are available for asylum-seeking and refugee children which consider the views and best interests of the child and that regular reviews of these arrangements are conducted;**

(c) **Consider adopting additional legislation to address practical barriers preventing access to education for asylum-seeking and refugee children, such as shortening the time between lodging an asylum application and school enrolment and increasing the number of hours and quality of language classes.**

Economic exploitation, including child labour

41. **The Committee reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 83) and urges the State party to:**

(a) **Take all necessary measures to enforce existing labour legislation and fully implement the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization;**

(b) **Take effective measures to prevent child labour, especially in agriculture, construction and at home, as well as child begging in the streets, and to mainstream its elimination in the relevant sectoral and intersectoral strategies and action plans;**

(c) **Establish training programmes for labour inspectors and increase their number to ensure that employment practices are sufficiently monitored.**

Children in street situations

42. **While noting that the State party has acknowledged the issue of children in street situations and has implemented the Street Children Initiative, and with reference to its general comment No. 21 (2017) on children in street situations, the Committee reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 85) and urges the State party to ensure that children in street situations receive all the needed support, particularly reintegration with family or placement in alternative care, and are provided with health care, education, access to social services, national identification documentation, safe spaces and support, as well as prevention and rehabilitation services in relation to drug abuse.**

Sale, trafficking and abduction

43. **The Committee recommends that the State party:**

(a) **Identify trafficking victims among vulnerable populations, particularly poor communities and girls, and provide them with appropriate rehabilitation and counselling services, and provide specialist training for and enhanced resources to the professionals working with child victims of trafficking;**

(b) **Intensify efforts to raise awareness and enhance the competency of family court judges and prosecutors in relation to existing national and international standards as well as to respecting and taking into account the best interests of the child in the legal proceedings relevant to human trafficking, taking into consideration the specific protection needs of child victims of trafficking;**

(c) **Investigate all cases of child trafficking and sale of children and prosecute perpetrators under the relevant provision of the Criminal Code, and sensitize law enforcement officials on the strict application of the Criminal Code.**

Administration of juvenile justice

44. **With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee reiterates its previous recommendation (see CRC/C/ROM/CO/4, para. 92) and urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party to:**

(a) **Expeditiously establish more specialized juvenile courts and procedures with adequate human, technical and financial resources, designate specialized judges for children and ensure that the judges receive appropriate training;**

(b) **Ensure the provision of qualified legal aid to children in conflict with the law at an early stage of the procedure and throughout the legal proceedings;**

(c) **Promote measures for dealing with children accused of having infringed the penal law without resorting to judicial proceedings, such as diversion, probation, mediation, counselling or community service; and, wherever possible, use alternative measures at sentencing and ensure that detention is used as a last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to withdrawing it.**

I. Ratification of the Optional Protocol on a communications procedure

45. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.**

J. Ratification of international human rights instruments

46. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments to which it is not yet a party:**

(a) **The International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families;**

(b) **The International Convention for the Protection of all Persons from Enforced Disappearance.**

47. **The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography,**

the reports of which are both overdue as of 10 December and 18 November 2003, respectively.

K. Cooperation with regional bodies

48. The Committee recommends that the State party cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other Council of Europe member States.

IV. Implementation and reporting

A. Follow-up and dissemination

49. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the fifth periodic report, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

50. The Committee recommends that the State party establish a national mechanism for reporting and follow-up as a standing government structure that is mandated to coordinate and prepare reports to and engage with international and regional human rights mechanisms, as well as with coordinating and tracking national follow-up to and implementation of the treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution and civil society.

C. Next report

51. The Committee invites the State party to submit its combined sixth and seventh periodic reports by 27 October 2022 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

52. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.